

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

NORTHERN DYNASTY MINERALS  
LTD. and PEBBLE LIMITED  
PARTNERSHIP,

Plaintiffs,

v.

U.S. ENVIRONMENTAL PROTECTION  
AGENCY

Defendant.

Case No. 3:24-cv-00059-SLG

**DECLARATION OF KRISTEN MARY MILLER**

I, Kristen Miller, hereby declare as follows:

1. My name is Kristen Mary Miller. I have a law degree from Washington University School of Law and a Bachelor of Arts degree from Washington University. I spent four months living in Alaska, outside of Denali National Park, between undergraduate and law school.

2. I make this declaration in support of the Alaska Wilderness League's (League) Motion to Intervene in the above-captioned litigation. I know these facts of my own personal knowledge and would competently testify to them if called as a witness in these proceedings.

3. The League is a 501(c)(3) nonprofit founded in 1993, with offices and employees in Washington, DC, and Anchorage, Alaska.

4. The League's mission is to inspire and galvanize broad support for federal policy actions that will protect and defend America's last great wild public lands and waters. Our vision is that Alaska's wild landscapes will endure to support vibrant communities and abundant wildlife. Toward these ends, the League advocates for the protection of Alaska's wild lands and waters and works to prevent environmental degradation on Alaska's public lands and waters, including the Bristol Bay region.

5. The League has approximately 130,000 members and supporters nationwide. The organization's Alaska-based members include guides and outdoor recreationists who travel around the state annually to experience the best of Alaska's public lands and waters. In addition, many of our members and supporters in the lower-48 states visit Alaska during summers, making trips to different regions to view wildlife, fish, raft, or hike on federal public lands and waters.

6. I have worked at the League since 2006, and I have been serving as its Executive Director since January 2023. I have also served as the League's Interim Executive Director twice, the Conservation Director, and the Legislative Director. Prior to joining the League, I was the Senior Associate for Public Lands at the National Wildlife Federation, focusing on Alaska land issues, and I spent two years as an environmental legislative assistant in the U.S. House of Representatives.

7. In my current role as Executive Director at the League, I oversee all aspects of the League's work, including our program work. This includes education of our

membership, grassroots outreach, earned and paid media, and lobbying efforts in support of legislative and administrative policies to protect the Bristol Bay watershed.

8. The League is focused on securing public lands and waters for people today and for future generations. Key to that effort is ensuring that salmon runs remain intact. Without clean waters, the subsistence way of life may not continue generations from now, which is of great concern to the organization. Sustainable industries like the salmon fisheries and public lands-based tourism in the Bristol Bay region also depend on clean waters and healthy salmon populations.

9. The Pebble Mine, if built, would represent an ongoing threat to an entire region of Alaska. It would threaten biodiversity and sustainable ways of living by Alaska Native communities and local residents. Our vision is an Alaska free of such threats, where future generations can count on the lands and waters to provide for sustenance, traditions, sustainable salmon fisheries, and world-class outdoor recreation experiences that are becoming rarer and rarer across the globe. The loss of these resources and ways of life resulting from the large-scale mining of the Pebble deposit would be a huge setback in achieving our vision.

10. In the early 2000s, the proposed Pebble Mine caught the interest of the conservation community as an enormous threat to Alaska's lands and waters. Over the many years since then, the League has mobilized its membership and supporters—both in Alaska and nationwide—to weigh in on the importance of protecting Bristol Bay through

written comments and by attending public hearings on the matter. To increase public awareness about the threat, we have shared information and educated our members and supporters about the latest in the fight through email, our website, and social media. We have engaged our membership and supporter network to oppose the Pebble Mine throughout the Obama, Trump, and Biden administrations.

11. We have also directly engaged members of Congress, partner organizations and businesses, and federal government officials and agencies, and we have worked to inform them about the importance of watershed protections for Bristol Bay and the opportunity to halt the proposed mine through federal action.

12. Our work continued during the process undertaken by the U.S. Environmental Protection Agency (EPA) under Section 404(c) of the Clean Water Act in 2010 and beyond. We worked to mobilize our members and supporters to express their views regarding the importance of watershed protections in Bristol Bay. We have also kept members of Congress who expressed interest in Alaska's lands and waters up to date with the latest information about the 404(c) process and its importance for the protection of Bristol Bay. The League also joined past litigation defending the Obama-era 404(c) process.

13. More recently, we have signed on to technical comments prepared in collaboration with Trustees for Alaska and numerous other groups involved in this litigation. The League has also mobilized its own network of members and supporters,

which resulted in 9,141 signers on a group comment letter and 2,077 unique comments submitted to the agency in August 2022.

14. In adopting its Final Determination under 404(c), EPA has taken the necessary action to ensure that the Bristol Bay watershed will remain free of a large-scale mine at the Pebble deposit, which we feel is an absolute necessity to ensure the survival of biodiversity in the region. In January 2023, the League sent out a press release thanking EPA and President Biden for their action in the 404(c) process.

15. I care about the mission of the League—protecting public lands and waters throughout Alaska for biodiversity, climate resilience, and local community use. The proposed Pebble Mine is a massive threat to a region of Alaska that is unacceptable, and it warrants federal action like what EPA has done to ensure clean water and salmon for generations to come.

16. The plaintiffs in this litigation seek to reverse EPA’s important decision protecting the Bristol Bay region, and this would have devastating impacts on the League and its members.

17. The League and its members are not adequately represented by EPA in this lawsuit. The League has been involved in this fight for many years. While we agree with EPA’s recent decision, we were disappointed when the agency reversed course and withdrew its Proposed Determination after a change in administration in 2017. Agency

leadership could change again during the pendency of this lawsuit, especially in light of the upcoming November 2024 election.

18. Only by intervening and gaining the rights of a party can the League be sure that its interests and those of its members are protected. We need a seat at this table to ensure our member and supporter interests are robustly represented as the court considers this case. We also want to be sure that this determination is defended in the years to come.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 26th day of April, 2024 in Arlington, Virginia.



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Kristen Miller